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Melissa E. Newman
Vice President-Federal Regulatory

November 13, 2003

Maureen Del Duca
Chief, Investigations and Hearings Division
Enforcement Bureau
Federal Communications Commission
445 Twelfth Street SW
Washington, DC 20554

Dear Ms. Del Duca:

This letter is being submitted to inform you that Qwest has learned that as part of a Qwest long distance telemarketing effort in its region, a distribution vendor - mistakenly and contrary to instruction from Qwest – sent a lead list that included Arizona leads to a telemarketing vendor who then made a few hundred outbound telemarketing contacts with Arizona residents. Contacts with Arizona residents began on November 3rd and stopped during the morning of November 4th. No sales occurred to Arizona residents and no long distance service was provided to Arizona residents. The telemarketing vendor discovered this mistake soon after the calling began and the telemarketing for Arizona was promptly stopped.

In this long distance telemarketing effort, Qwest used a portion of a lead list that was originally compiled to market the local Preferred Choice package of local dial tone and vertical features. Qwest understood that this list contained Arizona leads that, while appropriately included in a local lead list, could not be contacted in the anticipated long distance telemarketing effort in Qwest's thirteen approved states. Qwest believed that it had covered appropriate steps to be taken to remove the Arizona leads prior to calls being initiated.

Qwest used two outside vendors to implement this telemarketing campaign – The Allant Group, Inc. (Allant) and APAC Customer Services, Inc. (APAC). Allant is a lead distribution service. Its duties included scrubbing leads provided by Qwest against its Do Not Call list, putting leads in a format that the telemarketing vendors can use, distributing lead lists to various telemarketing vendors, and collection of back-end disposition data. Allant was also required to perform other specific suppression activities based on specific instructions from Qwest. APAC is the vendor that Qwest used to perform the telemarketing.

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Qwest instructed Allant, in writing, to remove all Arizona leads from the lead list prior to Allant sending the leads to APAC. On October 24, Qwest sent an email to Allant and APAC, specifically instructing Allant to redistribute the leads from the Preferred Choice (local) campaign and to "remove all AZ leads" "prior to sending the leads" on to APAC. However, as a result of the past operating history between Qwest and Allant with respect to state suppressions, Allant misinterpreted the above-referenced communication. Qwest discovered on Thursday November 6 that Allant did not follow this instruction from Qwest and that Allant sent the leads to APAC on October 30 without removing the Arizona leads. Allant and APAC confirm this recitation of the facts. Qwest understands that APAC began the telemarketing effort believing that Allant had removed the Arizona leads as instructed.

Qwest's internal review has determined that these Arizona telemarketing contacts by APAC occurred between approximately 9:45 a.m. on Monday November 3 and 10:30 a.m. on Tuesday November 4, 2003. It appears that 353 Arizona residents were contacted during this time. No sales occurred to Arizona residents and no long distance service was provided to Arizona residents. Qwest understands that APAC account management discovered that Arizona leads were included in the list sent by Allant as they were reviewing production reports on the morning of November 4. Once APAC account management became aware that the Arizona leads had not been removed, APAC began a state suppression effort by state code to remove the Arizona leads. No Arizona contacts have occurred in this long distance campaign since the morning of November 4.

Qwest has worked successfully with Allant for some time. Allant has processed over 1,000 telemarketing campaigns for Qwest during the past year, including approximately 60 other long distance campaigns. These campaigns have had no similar problems. Additionally, Allant has performed suppression activities at Qwest's direction in the past and has not had any similar problems. Therefore, as Qwest embarked on this new long distance telemarketing effort it did not have any reason to question Allant's ability to comply with the instruction to remove the Arizona leads. Qwest regrets any confusion that these contacts may have caused consumers in Arizona.

Please contact me if you have any questions. I can be reached on 202.429.3120.

Respectfully submitted,

/s/

Melissa Newman
Vice President-Federal Regulatory